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General and complete disarmament

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

Report of the Secretary-General

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I. Introduction

1. In paragraph 4 of its resolution 70/30, entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control", the General Assembly invited all Member States to communicate to the Secretary-General information on the measures they had adopted to promote the objectives envisaged in the resolution, and requested the Secretary-General to submit a report containing that information to the General Assembly at its seventy-first session.

2. Pursuant to that request, on 15 February 2016, a note verbale was sent to all Member States inviting them to provide information on the subject. The replies received thus far are contained in section II below. Additional replies received will be issued as addenda to the present report.

II. Replies received from Governments

Cuba

[Original: Spanish]
[24 May 2016]

Cuba stresses the need to observe environmental norms in all aspects of public life, including in the drafting and implementation of disarmament and arms control treaties.

Cuba, which is a State party to, inter alia, the Chemical Weapons Convention, the Biological Weapons Convention, the Convention on Certain Conventional Weapons and the Treaty on the Non-Proliferation of Nuclear Weapons, ensures strict observance of environmental norms and the other obligations arising from those instruments.

Cuba has developed robust legislation that is enforced strictly by the competent bodies, including those responsible for implementing international disarmament and arms control obligations at the domestic level.

Cuba has many instruments to ensure environmental protection in the implementation of disarmament and arms control treaties and conventions to which it is a party, including:

- Article 27 of the Constitution, which refers to the concept of sustainable development.
- Act No. 81/1997 on the environment, which sets forth the principles underpinning the country's environmental policy.
- Decree-law No.207 on the use of nuclear energy, which establishes the general rules in this area;
- Decree No.208 on the national system of accounting for and control of nuclear materials, which establishes the norms for the national system, with the aim of ensuring the efficient management of nuclear materials and detecting any unauthorized use, loss or movement of such materials.

- Domestic laws on biosecurity and the implementation of the Biological Weapons Convention are reflected in Decree-Law No. 190/99 on biosecurity; decision No. 2/2004 of the Ministry of Science, Technology and the Environment on regulations for accounting for and control of biological materials, equipment and related technologies; the most recent update of the list of biological agents that affect people, animals and plants; and the regulations for granting biosecurity certification, which are contained in decisions Nos. 38/2006 and 180/2007, respectively, of the Ministry of Science, Technology and the Environment.

- Decree-law No. 202/1999, which governs the implementation of the Chemical Weapons Convention at the domestic level.

- Agreement No. 5517 of 2005 of the Executive Committee of the Council of Ministers, entitled "On contraventions resulting from violation of the rules of the Chemical Weapons Convention", which rounded out the legislative measures needed to implement the Convention.

The only truly effective solution for preventing the dire consequences of the use of weapons of mass destruction is their total elimination.

Relevant environmental norms must be duly taken into account in international disarmament forums and during the negotiation of international treaties and agreements on disarmament and arms control.

The Chemical Weapons Convention continues to be the only international agreement that provides an extensive verification regime for the destruction of an entire category of weapons of mass destruction and the facilities where they are produced, and for the protection of people and the environment.

Considering the nuclear threat to the survival of the human race and the constant risk of death and destruction of the environment that would be posed by the use of this type of weapon, Cuba reiterates its call to begin without further delay negotiations for the early conclusion of a comprehensive convention for the prohibition and complete elimination of nuclear weapons within a specified time frame and under strict international control. A comprehensive treaty on nuclear disarmament must of necessity include environmental protection measures.

A legally binding and multilaterally negotiated protocol to strengthen the Biological Weapons Convention is essential to protect the environment and preserve the biodiversity of our planet.

Lebanon

[Original: Arabic]
[8 April 2016]

The Ministry of National Defence notes that:

Lebanon possesses no weapons that affect or harm the environment, and supports the agreements on disarmament, arms control and the observance of environmental standards. It is, however, deeply concerned by Israel's possession and maintenance of a massive arsenal of weapons of mass destruction, which could be harmful to the environment, even if they are not used.

Mexico

[Original: Spanish]
[19 May 2016]

The Government of Mexico reiterates its commitment to full observance of the environmental norms contained in the treaties and agreements on disarmament and arms control to which it is a party, in order to minimize the negative impact on the environment, which has adverse consequences for development and the well-being of the people.

Mexico does not have or produce, and never has had or produced, weapons of mass destruction (whether biological, chemical or nuclear) or weapons with cruel and indiscriminate effects. Mexico remains a regular, active and committed advocate of a ban on such weapons, as well as a supporter of a general and complete disarmament, as it is convinced that disarmament is the only means to achieve a more secure, more peaceful, more equitable and more inclusive world for present and future generations.

Mexico will continue to support initiatives that recognize the complexity and interconnected nature of the immediate, medium-term and long-term negative effects of the accidental or intentional detonation of a nuclear weapon on, inter alia, the environment, food security, climate and development, which would be systemic and potentially irreversible for humanity as a whole.

Portugal

[Original: English]
[31 May 2016]

At its seventieth session, the General Assembly, recalling the previous resolutions adopted on this issue, reaffirmed the importance of the observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control, particularly with regard to nuclear weapons. In this context, the General Assembly adopted resolution 70/30, in which it recognized the importance of the adoption by States of measures that assure environmental progress, in the context of the international security.

Portugal has adopted the highest standards regarding environmental protection and pollution prevention. In addition, best practice guidelines as well as recommendations from the relevant international organizations have been translated into national legislation, particularly in the Environmental Directive for National Defence, dated 19 April 2011. Furthermore, Portugal fully complies with European Union law concerning environmental norms.

The Portuguese Armed Forces, in operation theatres, comply with the most environmentally protective or favourable provisions enshrined either in the Portuguese or host country legislations.

In addition, Portugal is a party to all major disarmament and non-proliferation conventions. In accordance with its international obligation under the Convention on Cluster Munitions and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, Portugal has disposed or destroyed its stock of, inter alia, cluster munitions and landmines

and, in doing so, fully respected applicable environmental norms, which include standards agreed by the members of the European Union (Directive 94/67/EC, on the incineration of hazardous wastes).

Being a party to the Chemical Weapons Convention and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction requires from Portugal control measures that are either fully in place or that are being implemented, thus contributing to environmental safety and security.

In addition, Portugal complies with such norms when destroying firearms that are found or seized by police forces. The procedures by which they are destroyed are described in greater detail in the International Tracing Instrument report and the document on small arms and light weapons prepared by the Organization for Security and Cooperation in Europe.

Portugal is a State signatory to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, which was adopted by the General Assembly in its resolution 31/72 on 10 December 1976, and in which the Assembly recalls the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and remains ready to proceed with its ratification.

Spain

[Original: Spanish]
[31 May 2016]

In Spain, the environmental norms of the European Union, which have been incorporated into Spanish law and are consequently binding, serve as the benchmark for environmental management.

Spain continues to follow the procedures described in reports of previous years for the destruction of weapons and ammunition in the implementation of the main disarmament and arms control agreements to which it is a party. The highlights of these procedures are summarized below.

Destruction of anti-personnel mines

The destruction of anti-personnel mines was carried out by the Spanish company Fabricaciones Extremeñas (FAEX), which guaranteed maximum safety and zero environmental impact, in keeping with the ISO 14000 standard and European Union Council Directive 94/67/EC on the incineration of hazardous waste. In all, 849,365 mines were destroyed in a record period of 28 months.

Destruction of conventional weapons (Treaty on Conventional Armed Forces in Europe)

In the case of Spain, 371 battle tanks and 87 artillery pieces had to be destroyed; the process was completed on 16 November 1995.

Currently, further reductions are being made to offset the commissioning of new equipment and to ensure that the limits laid down by the Treaty on Conventional Armed Forces in Europe are not exceeded.

Destruction of small arms and light weapons

Spain also observes environmental norms with regard to the destruction of small arms and light weapons, as set out in the Document on Small Arms and Light Weapons of the Organization for Security and Cooperation in Europe.

Destruction of cluster munitions

In accordance with the ISO 14001:2004 standard and European Union Council Directive 94/67/EC for the incineration of hazardous waste, Spain has destroyed all cluster munitions supplied to its armed forces, with the exception of those retained for development and training, pursuant to article 3, paragraph 6, of the Convention on Cluster Munitions.

Between December 2008 and December 2015, a total of 1,950 ESPIN-21 mortar grenades and 1,852 MAT-120 mortar bombs were destroyed, as well as 575 CBU-100, 38 CBU-99B and 385 BME-330B/AP aircraft-launched bombs.

Turkmenistan

[Original: Russian]
[28 March 2016]

Like the entire international community, Turkmenistan notes the importance of observing environmental norms in the drafting and implementation of agreements on disarmament and arms control. Turkmenistan will certainly contribute at all levels of cooperation towards ensuring the application of scientific and technological progress within the framework of international security, disarmament and other related spheres, without detriment to the environment.

Alongside international security and sustainable development, environmental security has been a constant theme raised in the speeches delivered by our Head of State at the meetings of international organizations. The President of Turkmenistan set out our country's official position on environmental issues at the United Nations Conference on Sustainable Development (Rio+20), held in Rio de Janeiro, Brazil, on 21 June 2012.

In his address to the seventieth session of the General Assembly, the President of Turkmenistan noted that Turkmenistan had officially presented its concept for strengthening international environmental cooperation at various conferences and had put forward a number of concrete proposals, which included the joint initiative with the United Nations to establish a regional climate-change centre for Central Asia. He had said that Turkmenistan continued to be committed to that idea and that it stood ready to take steps jointly with the United Nations Development Programme to establish such a centre in Ashgabat in 2016.

Turkmenistan's success in implementing plans arising from United Nations environmental protection programmes and conventions is demonstrated by the fact that its economic development is underpinned by the principle of environmental security.

Consistent work is under way to implement laws and regulations that apply the generally recognized norms of international law, with a view to strengthening and developing international cooperation on environmental protection and ensuring

environmental security. Environmental law seminars and conferences are consistently being held to spur the further development of international cooperation.

In accordance with the Act on the national security of Turkmenistan of 4 May 2013, the competent State authorities, organizations and officials responsible for environmental security have an obligation to prevent the radioactive, chemical and bacteriological contamination of national territory.

In the area of environmental impact assessments, international cooperation is based on international agreements between Turkmenistan and foreign States regarding cooperation on environmental protection issues and environmental security for the population (Act on environmental impact assessments dated 16 August 2014).

Our country's proposals for protecting the environment and ensuring environmental sustainability, both nationally and regionally, are fundamental for the continued smooth development of international relations on environmental matters.

Overall, the work being carried out by our country to protect the environment and ensure environmental sustainability reaffirms that Turkmenistan is fulfilling its international obligations in this area.

Ukraine

[Original: English]
[1 June 2016]

In accordance with the Protocol on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, adopted by Ukraine in Law No. 2281-IV of Ukraine on 22 December 22 2004, and with regard to the Code of Civil Defence of Ukraine, the State Emergency Service of Ukraine, through the units of the Operative Rescue Service of Civil Protection, implements a range of measures on humanitarian demining of the territories of Ukraine.

In 2015, pyrotechnic units of the State Emergency Service made approximately 8,100 response field visits, and found, extracted and disposed of more than 50,100 munitions (excluding small arms ammunition), including 748 aircraft bombs. A total of 10,700 ha of the territory were examined, and the explosive remnants defused. During 2016 (up to 1 April) pyrotechnic units made 1,428 visits, and extracted and destroyed 10,408 pieces of ammunition, including 97 aircraft bombs. More than 1,660 ha of the territory of Ukraine were examined and demined.

Since July 2014, the pyrotechnic units of the State Emergency Service cleared around 11,640 ha of the territories of the Donetsk and Lugansk regions, which had been liberated from Russian terrorist forces, as well as 38 ha of a water area, and extracted and destroyed more than 54,200 units of explosive remnants,. More than 1,000 sites of social infrastructure were examined.

As a result of the actions of the Russian-terrorist forces and ongoing aggression of Russia against Ukraine, much of the liberated territory of the Donetsk

and Lugansk regions, with a total area of about 7,000 km², is contaminated with explosive remnants and needs urgent examination and humanitarian demining.

The activity of the State Emergency Service in demining the territories of the Donetsk and Lugansk regions is of an exclusively humanitarian nature and provides the following:

- Security to the people living in the populated areas.
- Recovery and stable operation of infrastructure support systems (electricity, gas, water and other utility systems).
- Operation of transport infrastructure and promotion of safe agricultural labour.
- Clean-up of water areas affected by ammunition.

During 2015, the State Emergency Service implemented 10 projects in the framework of the international obligations of Ukraine to remove explosive remnants from its territory and water zones, carry out humanitarian demining actions, further the implementation of the Information Management System for Mine Action and inform its population about the risks associated with mines.